

FILED BY *R* D.C.

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

05 DEC 30 PM 1:50

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
MEMPHIS

CAROLYN V. SCOTT, INDIVIDUALLY,  
AND AS NEXT OF FRIEND OF  
DESHAWN SCOTT,

Plaintiff,

v.

WILLIAM ROGERS; CHRISTINE  
ROGERS; and BETH McCLURE,  
Individually, as Agent, and d/b/a  
REALTY SHOPPE,

Defendants.

CIVIL ACTION NO.1:04-cv-1284-T/AN  
JURY TRIAL DEMANDED

ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL RESPONSE BY  
DEFENDANTS WILLIAM ROGERS AND CHRISTINE ROGERS TO PLAINTIFF'S  
FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS AND TO COMPEL  
DEFENDANTS WILLIAM ROGERS AND CHRISTINE ROGERS TO ANSWER  
PLAINTIFF'S SECOND SETS OF INTERROGATORIES  
AND FOR EXPENSES, TO INCLUDE COSTS AND ATTORNEY'S FEES

This matter came before the Court pursuant to Plaintiff's Motion asking the Court to enter an Order (1) compelling Defendants William Rogers and Christine Rogers to fully and properly respond to Plaintiff's First Request for Production of Documents to each of Defendants; (2) compelling Defendants William Rogers and Christine Rogers to fully and properly respond to questions propounded in Plaintiff's Second Set of Interrogatories to each of Defendants; and (3) ordering Defendants to pay to Plaintiff the expenses associated with the filing of this Motion, to include costs and attorney's fees. It appears to the Court that the Motion is well taken. *No response to the motion has been filed, & the time for response has expired.*  
IT IS, THEREFORE, ORDERED that:

1. Defendant William Rogers shall respond to Plaintiff's First Request for Production

of Documents to Defendant William Rogers. *within 11 days of the date of this order*

2. Defendant Christine Rogers shall respond to Plaintiff's First Request for Production of Documents to Defendant Christine Rogers *within 11 days of the date of this order*

3. Defendant William Rogers shall respond to Questions propounded in Plaintiff's Second Set of Interrogatories to Defendant William Rogers. *within 11 days of the date of this order.*

4. Defendant Christine Rogers shall respond to Questions propounded in Plaintiff's Second Set of Interrogatories to Defendant Christine Rogers. *within 11 days of the date of this order.*

5. Defendants shall pay to Plaintiff expenses associated with the filing of this Motion, to include costs and attorneys fees, as to be determined by the Court. *Plaintiff's counsel shall submit an affidavit within seven days of the date of this order verifying the amount of attorney fees & expenses incurred in seeking responses to its discovery and bringing this motion to compel.*  
Dated this the 30<sup>th</sup> day of December, 2005.

*Duane K. Uscov*  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE  
*Magistrate Judge*

APPROVED FOR ENTRY:

*Michael L. Weinman by permission of court*  
MICHAEL L. WEINMAN, BPR# 015074  
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*Carol Gish*  
CAROL GISH, BPR# 010231  
West Tennessee Legal Services  
210 W. Main Street  
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(901) 423-0616  
ATTORNEYS FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the above document has been served upon the Defendant Beth McClure, by hand delivery of same to the attorney for Defendant Beth McClure, Carthel L. Smith, at The Smith Law Firm, 85 E. Church Street, Lexington, Tennessee 38351, and upon Defendants William Rogers and Christine Rogers, by hand delivery of same to the attorney for said Defendants, Bradley G. Kirk, at Carter, Stanfill & Kirk, PLLC, 25 Natchez Trace Drive, Lexington, Tennessee 38351.

This the \_\_\_\_ Day of \_\_\_\_\_, 2005.

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CAROL GISH, BPR# 010231  
West Tennessee Legal Services  
210 W. Main Street  
Jackson, Tennessee 38301  
(901) 423-0616  
ATTORNEY FOR PLAINTIFF



## Notice of Distribution

This notice confirms a copy of the document docketed as number 43 in case 1:04-CV-01284 was distributed by fax, mail, or direct printing on December 30, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT